

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- No. 22541 OF 2020 (O&M)
Date of decision : August 13, 2020

Manpreet Singh @ Popli

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Pranav Chahda, Advocate, for the petitioner

Mr. Jagmohan Ghuman, DAG Punjab for the State

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Manpreet Singh @ Popli who is an accused in case FIR No. 166 dated 14.7.2020 under Sections 406, 420, 120-B IPC and 66 of Information Technology Act, Police Station City-I, Abohar, District Fazilka has come up in this first anticipatory bail under Section 438 Cr.P.C.

The brief allegations have come about from complainant

Jaswinder Singh who is Commission Agent. The complainant has alleged that he acquainted co-accused Subhash Chugh @ Tahla and Sandeep Garg and over a period of time both these persons devised a game plan to rob him of his wealth and on the pretext of earning huge amount through cricket “betting” promised that they will too invest on his behalf and in the process took Rs 17.50 lacs from the complainant and thereafter usurped the money leading to the registration of the present FIR.

Learned counsel for the petitioner inter-alia contends that neither the petitioner is named in the FIR nor any specific role is attributed to him and nothing is to be recovered and sought to seek refuge from bail order of co-accused Amrinder Pal Singh, Annexure P/4 and thus, seeking parity on that score.

Learned State counsel on instructions from SI Randev Singh though does not displace the facts but has opposed the grant of bail in view of the allegations that accused too was part of the conspiracy.

The own admission of the State that there is no specific role attributed to the petitioner in the commission of the offence who has neither been named nor anything is claimed to be recovered from him and thus, it would be traversity of justice to decline the

present prayer in view of the principle of parity whereby similarly placed co-accused has been allowed the same very relief.

In view of the aforesaid, the present petition is allowed. In the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, on presentation of challan, the petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court. Presently, the petitioner is directed to join investigation within 15 days of the receipt of the copy of order.

The present petition stands disposed of.

August 13, 2020
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No